

DOUTHITT HAS
HOUSE SUPPORT

(Continued From Page One.)

stating that Governor Frear had signed Joint Resolution No. 1, providing for the appointment of a commission to investigate the fruit growing industry of the Islands.

House Bill No. 18 was transmitted on its third reading and passed its first reading in the Senate. It regulates the appointment and dismissal of district magistrates.

House Bill No. 22, dealing with licenses, passed first reading, as did House Bill No. 38. House Bill No. 54, providing for the inventory of government assets, passed first reading.

Chairman Brown of the Printing Committee presented a report stating that Senate Bills Nos. 54, 55, 52 and 55 had been printed in accordance with the instructions of the Senate.

Chairman Knudsen of the Judiciary Committee reported on House Concurrent Resolution No. 3, protesting against the suggestion of a commission form of government for the Territory.

The committee recommended the adoption of the resolution amended to read as follows:

"Be it Resolved by the House of Representatives of the Territory of Hawaii, the Senate concurring:

"That it denounces, as detrimental to the best interests of Hawaii, the advocacy of a government by commission in place of the present form of Territorial government, and that it declares it to be the wish of the people of this Territory that the form of government now enjoyed should be continued until such time as through it Hawaii shall be prepared to take her place as one of the States of the Union."

Senator McCarthy moved the adoption of the resolution in the amended form and it was carried by a unanimous vote.

Two Military Acts.

Senator Chillingworth gave notice of introducing an act to regulate military instruction in the Territory. Under a suspension of the rules the measure passed first reading and was referred to the Printing Committee. The full text of the measure is as follows:

An Act to prohibit persons from associating together in military companies or organizations or for military purposes, and the giving or receiving of military instruction.

Section 1. Any two or more persons who associate themselves together with others within the limits of the Territory of Hawaii as a military company or organization or for military purposes or to give or receive military instruction, other than those belonging to the regularly organized military and naval forces of the United States, or of any State or Territory, and those attending a public school or a private school for which a certificate has been issued in accordance with the provisions of Section 209 of the Revised Laws, without the written permission of the Governor, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than one hundred dollars nor more than five hundred dollars, or imprisoned for a term not exceeding six months, or both.

Section 2. This Act shall take effect upon its approval.

Senator Brown of Hawaii introduced two bills and they passed first reading. The first is an act to provide for the erection of a courthouse at Hilo for the use of the Fourth Judicial Circuit Court and other public purposes.

The other measure introduced by Brown is an amendment to section 1221 of the Revised Laws relating to property exempt from taxation.

Senator Chillingworth introduced another bill with a military bearing. It makes the wearing by a civilian of a uniform similar to those worn by the United States service in general and the National Guard of the Territory a misdemeanor, punishable with fine or imprisonment. The bill passed its first reading and is as follows:

An Act to prohibit the wearing of the uniform of the United States Army or Navy or National Guard of Hawaii.

Be it enacted by the Legislature of the Territory of Hawaii:

Section 1. Every person, other than an officer or enlisted man of the National Guard or of the National Militia of the Territory of Hawaii, or of any other State or Territory, or of the United States Army, Navy, Marine Corps, or Revenue Service or Forest Service, or inmate of any veterans' or soldiers' home, who at any time wears the uniform of the United States Army or Navy or the National Guard of Hawaii, or any part of such uniform, or a uniform or part of a uniform similar thereto, within the bounds of the Territory of Hawaii, is guilty of a misdemeanor, and if found guilty of such offense shall be punishable by a fine of not less than one hundred nor more than two hundred and fifty dollars, or by imprisonment not exceeding sixty days, or by both such fine and imprisonment; provided, that nothing in this act shall be construed as prohibiting persons from wearing such uniform in any playhouse or theater while actually engaged in rehearsing or presenting a play, and provided that nothing in this act shall be construed as prohibiting the uniform rank of civic societies parading or traveling in a body or assembling in a lodge room; and provided further that whenever the National Guard, or any part thereof is in active service, or is called into active service, no civic organization or member thereof shall parade or appear in uniform in the locality where said National Guard is in service.

Section 2. This Act shall take effect upon its approval.

The order of the day, Senate Bill No. 16, Coelho's prize measure, restricting the fishing waters of the Territory to citizens, came up for second reading, but on the motion of Senator McCarthy the measure was allowed to go over to Saturday.

Coelho Is Noisy.

When Senate Bill No. 35 came up for second reading, accompanied by the favorable report of the Judiciary Committee, Coelho launched forth in violent protest. The measure is intended to do away with the Circuit Court term at Lahaina on the ground of economy. But Coelho thinks it is not the harmless measure to help a lean pocketbook that casual examination would indicate.

"This is a conspiracy to wipe out

the town of Lahaina to accommodate a few Honolulu lawyers," was the declaration of the Maui statesman—he didn't say a word about assassins—"and I move for its indefinite postponement."

Senator McCarthy came to Coelho's support. He stated that it was an old measure that had frequently appeared in the Legislatures of the past, and that he did not think that it should be endorsed. Coelho stated that he expected to receive a strong petition from the citizens of Lahaina on the subject.

President Smith thought the bill could be amended so as to only provide for Circuit Court sessions at Lahaina when necessary, practically leaving the matter at the discretion of the court itself. Senator Chillingworth moved that consideration of the bill be postponed until Thursday next, and this was endorsed by the Senate.

House Concurrent Resolution No. 5, providing for the Federal Government meeting the costs of the condemnation of fishery rights, was taken up for second reading, and on motion of Coelho was deferred to Saturday.

Senate Bill 51, the substitute measure offered by the Senate Committee on Education, passed its second reading. The bill provides that each island be represented on the board of commissioners of the Department of Public Instruction. President Smith called attention to the wording of the line dealing with the payment of expenses of the commissioners while traveling to the place of meeting. The bill read "actual expenses," and President Smith observed that it would include possible extravagance and suggested the word "necessary," which amendment met with the approval of the Senate.

Third Reading.

Senate Bill No. 33 passed its third reading. It provides for the selection of circuit judges to sit on the Supreme bench in the temporary disqualification of one or more of the Supreme justices.

The new divorce measure, Senate Bill No. 52, passed its second reading yesterday. It is a substitute measure introduced by the Judiciary Committee and was declared by Senator Knudsen to take away several of the objectionable features of the present law. Senator Knudsen said that at the present time it is possible for a divorce case to be rushed through in half an hour after the papers are filed if postponement is waived. The new bill makes a delay of at least thirty days obligatory. The present law also lacks definiteness in that portion covering desertion; the new bill states one year of utter desertion sufficient cause for divorce.

Bill Resubmitted.

Senate Bill No. 53, providing for current period deficiency appropriations, was taken up for second reading. Chairman Fairchild of the Ways and Means Committee explained that it had been discovered that some unpaid bills had not been included, particularly an item of about \$1100 from the Department of Public Instruction.

Senator Harvey's resolution for a \$1,500 appropriation for a sewer had also been passed over. On motion of Coelho, the Senate voted to recommit the bill to the Ways and Means Committee, to include the items mentioned.

Work for Pratt.

Senate Bills Nos. 54 and 55 were taken up for second reading and referred to the Committee on Public Lands. No. 55 is an act introduced by Senator Moore amending Paragraph 6, Chapter 4, Section 9 of Act 39 of the Session Laws of 1905, so that the provisions for public advertisement of bids shall not be applicable to road work.

The Public Lands Committee reported favorably on Coelho's resolution asking for a statement from the Commissioner of Public Lands showing the number of applications for lands, the refusals and the cause of the refusals, and the Governor's instructions in each case. The resolution was amended by the committee, however, so as to bring it within reason, and in the amended form was adopted by the Senate yesterday as follows:

"Resolved, That the Commissioner of Public Lands be and he is hereby requested to forthwith send to the Senate a full list of all written and verbal applications for the lands known as Keau, on Oahu, and Kokoiki, Kokoiki, Ophipau, and Kealahewa, on Hawaii, which are filed in his office and which were made to him, whether the same were made by individuals or corporations, stating those granted and those not granted, and giving the reasons for not granting them; and

"Resolved, further, That he submit with said list copies of all correspondence relative to them, together with the Governor's instructions concerning the same."

IN THE HOUSE.

With pleasure, according to the letter which was read as the first business of the morning, Secretary Mott-Smith informed the House that Governor Frear had signed House Joint Resolution No. 2, regarding the appointment of a commission to investigate truck farming, which has now become Joint Resolution No. 1.

Petition from Puna.

A petition from a number of prominent citizens of Puna asked for the cutting off of that district from Hilo for judicial purposes and for \$3000 for a courthouse at Olan, made necessary by the aforesaid cutting off. On the map the redistribution seems sensible, but from a matter of economy and convenience the present location of the district lines appears the best. Changing the lines necessitates the increase of the district magistrate's salary, makes necessary a courthouse and jail at Olan as well as at Keau in the same district and means much roundabout traveling.

For the new public buildings needed, Affonso presented a request for \$5200 to be included in the appropriation bill.

South Hilo's Wants.

The Public Lands Committee reported favorably on Kealahewa's resolution to appropriate \$10,000 for a homestead road from the makai end and recommended the inclusion of the item in the appropriation bill.

Oratory Shut Off.

Consideration of two reports on Nakaleka's laborers' pay bill, one report

favoring \$1.50 a day and the minority advocating \$2 a day, was taken up. Both reports were read, and the majority report was adopted and the minority report was postponed.

Carley moved the tabling of the minority report and Nakaleka seconded the motion. Kamahu rose to defend his \$2 report, being checked by the Speaker's quoted rule that the motion was privileged and had to be voted on at once. The vote tabled the Democratic report and another one adopted the majority report.

The ruling of the chair shut off a great flood of dammed back oratory which had been stored up for this occasion. Carley's motion was a cruel one but necessary under the circumstances to prevent at least an hour's unnecessary talking.

Another Needed Road.

The Public Lands Committee decided in a presented report that a government road from Lakoaka to Laelaeiwi, South Hilo, was necessary and endorsed the request of petitioners for \$6000 to build it.

New Bills.

Affonso introduced a bill to amend Section 2931 of the Revised Laws relating to abduction, providing that the consent of a female under fourteen years of age be void and that the abduction of a female child under that age shall be conclusively presumed to be by force and without her consent and against her will.

All Fines for Counties.

House Bill 86 designates that fines and costs in district courts in criminal and civil cases, without appealing to any appellate court, are realizations for the county and shall be paid over for the use of the county.

Affonso Gets the Hook.

The Committee on Agriculture disposed of two of Affonso's bills, not definitely killing either but shelving them both. The reports on Bill 7, to encourage the cultivation of fruits and vegetables and provide for the marketing, which called for \$30,000 a year said:

"After a careful consideration of the subject matter of this bill we recommend that the same be tabled and that the Clerk of this House be instructed to transmit a copy of this bill to the Commission to be appointed by the Governor under House Joint Resolution Number Two."

His bill to exempt coffee lands and buildings from taxation brought this report:

"We have made a careful examination of this bill and find that it is erroneously titled in that its purpose and intent is solely to exempt from taxation certain property actually used in the cultivation of coffee for commercial purposes. We recommend that this bill be referred to the Finance Committee which has jurisdiction over the subject matter treated of under this bill."

Suspension and Subsidy.

Douthitt presented an important concurrent resolution, which passed without opposition. This is:

"Whereas, The competition of subsidized foreign steamships, manned by cheap labor, has forced various American steamers into retirement and threatens to cause further suspension of service between Hawaii and the Mainland; and

"Whereas, The American coastwise regulations, while preventing foreign vessels from carrying passengers between Hawaii and the Mainland, have not protected American shipping sufficiently to provide needed transportation facilities; and

"Whereas, The volume of travel is greatly lessened and much unjust hardship, delay and expense are caused by the present lack of transportation facilities; and

"Whereas, These conditions, unless remedied by legislation, threaten to become worse, finally resulting in disastrous isolation of this Territory; therefore be it

Resolved, By the Legislature of the Territory of Hawaii, that pending the operation of an effective ship subsidy law or other measure which will encourage American steamship lines, the coastwise regulations which prohibit foreign vessels from carrying passengers between Hawaii and the Mainland should be suspended; and

"Resolved, That in thus asking for a suspension of the coastwise regulations we reiterate our hearty support of the subsidy measure and our earnest wish to see such a development of the American merchant marine as will make use of foreign steamers between here and the coast unnecessary and warrant a speedy restoration of the full force and effect of the coastwise regulations; and be it further

"Resolved, That copies of these resolutions be sent to the President of the United States and to each of the members of the Senate and the House of Representatives, and that our Delegate in Congress, Hon. J. K. Kahanamoku, be urged to continue his efforts to secure action in accordance with the policy herein stated; and further

"Resolved, That we do formally endorse and express appreciation of the excellent service our Delegate has already rendered in this behalf."

Petitions from Kalaupapa.

A petition from the citizens in the Molokai settlement drawn up at a mass meeting held at the Board of Health warehouse at Kalaupapa on Saturday, February 20, asked:

That weekly paiai rates be increased from 21 to 25 pounds.

That the Board of Health repair the cottages owned by lepers when they are in need of the same.

That Dr. Goodhue's monthly stipend be raised to \$300.

That the laborers (poolas) at Kalaupapa be paid at one dollar a day.

That the ration bill (money allowance) be increased to \$16 per annum.

That the amount of \$6000 be appropriated for new cottages for lepers.

That the meat ration be increased from 7 to 10 pounds a week.

That the goods at the store be sold at reasonable prices.

That each patient receive seventy cents worth of groceries from the store a week besides the paiai ration.

That a law be enacted authorizing the Governor to appoint a commission agent to introduce merchandise of all descriptions into the settlement and be paid a reasonable salary as may be fixed from time to time.

That an appropriation of \$2500 be made for supplying the lepers with stationery.

That an appropriation of \$6000 be made for roads in the County of Kalaupapa.

That \$600 be appropriated for the landing at Kalaupapa.

That \$15,000 be appropriated for water pipes for the settlement.

That the stipend of the assistant superintendent, J. K. Waiamau, be raised to \$150 a month.

Senate Measures.

Senate Bill 49 was presented for the consideration of the House, a kindly treatment being assured from the fact that House Bills 11 and 12 came back approved from the Senate and House Joint Resolution 1 and House Concurrent Resolution 2 had been adopted.

New Bills Presented.

Rice gave notice of the following bills:

A bill making it the duty of the City and County of Honolulu to provide for the maintenance and support, from and after July 1, 1909, of the present district courthouses, district and county jails and hospitals within the boundaries of the City and County until such time as it shall provide other suitable courthouses, jails and hospitals.

A bill under which each county shall establish, maintain and regulate district courthouses, district and county jails and houses of detention, punishment, confinement and reformation, hospitals, and almshouses, and shall maintain and support, from and after July 1, 1909, the present district courthouses, district and county jails and hospitals within its boundaries until such time as it shall provide other suitable jails, courthouses and hospitals.

A bill to provide for the appointment of jailers of the county jails. It states: "The High Sheriff of the Territory is responsible, and with the approval of the Attorney-General shall appoint the necessary jailers and other officers for the safe keeping of all prisoners, except those held in custody by the sheriffs of the several counties and the sheriff of the City and County of Honolulu, and those confined in county jails or jails under the care and control of the counties or the City and County of Honolulu."

Third Readings.

Castro's bill to encourage the birth-rate, House Bill 36, was up for third reading, this being the measure to exempt from school, poll and road tax all fathers of six legitimate children.

Kaniho moved the tabling of the bill because of the loss it would entail on the revenue. The burden would be, he said, on the shoulders of the childless, who would be not only without the satisfaction of having a houseful of children but would have to pay to send other people's children to school, adding insult to injury. If the law exempted bachelors it would be sensible.

"For myself, I am not to be considered," said Kaniho, as interpreted, "because I have no children, only five or six. The Portuguese and the Japanese are the ones who have the large families and who would benefit from the bill, because they would send their children to school and have them brought up to be a support to their parents. I move that the consideration of the bill be postponed for ten years."

The speaker did not mention the fact that his calling between sessions as a clergyman exempted him from payment of personal taxes.

Castro said he expected the bill to be ridiculed somewhat, but he believed that the bill was a just one, a bill to help the deserving poor. The introduction of a question of race in the matter, saying:

"The man who would discriminate against another human being because he is a Portuguese, a Chinaman or a Japanese is not fit to be considered in the human family. But the bill is not to help the Japanese or Chinese as such, but to aid the poor laborer who toils each day to support the children born to him."

The speaker referred to the existence of such a law in the most advanced countries in the world, in Switzerland and New Zealand. He stated that among the laborers of Hawaii the bill would prove a blessing and he asked the members to support it.

Rice seconded Castro, stating that the father of a family was as much entitled to exemption as a minister of the Gospel or a member of a militia company.

Kawewehi stated that Hawaiians had the same hardship of many children as other races, but he desired to agree with Castro that races should not be considered in regard to this bill. He had been asked by his constituents to support such a bill. He had no children himself, but was willing to help others educate their children.

Sheldon favored the bill as an inducement to assisted immigration. Kaniho couldn't see why a lucky man with the stork ought to have other favors shown him, especially as children from ten up could assist their parents. They did where he came from, at any rate. He objected to getting rid of a fly on his nose by hitting it with a club. He also objected to Castro's remarks regarding any race issue in his speech. His colleague was probably correct in saying that he had no children, but he himself had adopted nine, some of whom were working to help him. He thought soldiers should be exempt, because they gave up their lives for the country, and ministers should also be exempt because they brought righteousness into the country and also prayed for an increase in the birthrate.

The bill passed by 25 to 5.

Storm on Sewer Rates.

Kaniho objected very strongly to the bill allowing the Superintendent of Public Works to insist on people paying sewer rates by shutting off the water supply if they do not. He had a choice variety of reasons why such a thing would be harmful to Honolulu.

There was a good attendance in the House, and the sound of Kaniho's voice attracted an audience at all the windows. The more that came the better for Kaniho gained, until the walls rattled with his plain-spoken eloquence.

Coney tried to stem the current at one time, but gave up. Kaniho supported the bill, reviewing the history of the Honolulu sewer system.

On motion of Long, the third reading was postponed for a week.

Cheaper Laws.

House Bill 27, establishing the selling price of the Revised Laws at \$5 a volume, passed unanimously, as did also House Bill 37, changing the boundaries of certain judicial districts.

Second Readings.

The following bills passed on second reading and were referred to the committees named:

SPORTS
REILLY GIVEN DECISION
ON A MUCH DISPUTED FOUL

(From Sunday's Advertiser.)

By Jack Densham.

When doctors disagree, then the old man who ferries across the Styx laughs most unpleasantly. There was unpleasantness last night, but, luckily, not enough for Charon to get fat with himself. In the thirteenth round of a scheduled fifteen-round go between Frankie Smith and Charlie Reilly, the former landed on Reilly's solar plexus and Reilly doubled up. With the ring-generalship for which the good little boxer is noted, he immediately dropped his gloves and made a noise like a foul. Paddy Ryan looked at him twice and then raised his glove in token that he had been fouled and so won the game.

That is the way it appeared to me. And that is my firm opinion. Between the Orpheum and King street last night some fifty people butted in and wanted to know what I thought. Now they know. With all respect to Paddy Ryan, I submit that he did not see the blow land and might well have called for doctors before he gave his decision.

After the bout was finished Reilly was carried to his dressing room. I was admitted and watched the examination of two doctors. Dr. Wayson stated emphatically that Reilly had been struck low, but not in the usual sense of the term. Dr. Murray stated to me that there were no signs of a foul blow.

If a man is struck in the solar plexus and his diaphragm is thus put out of commission, there should surely be some method of finding out whether it has been injured or not. I know quite well that if somebody handed me the Fitzsimmons reliable and anybody touched me in the mid-section for a week afterward, I should not only wince, but yell bloody murder.

RYAN'S DENIAL
IS DIGNIFIED

(From Monday's Advertiser.)

Paddy Ryan comes in with a very courteous and sensible answer to the story which appeared in yesterday morning's Advertiser with regard to the decision in the Reilly-Smith go on Saturday night. It might be stated here that the story referred to was signed and was presented as the opinion of the signer, who witnessed the bout, and is presumably qualified to write on such subjects.

Paddy is naturally peeved at the slight criticism of his decision, but makes a mark for local sportsmen to live up to in the quiet and dignified way in which he writes on the subject. Here is the other side of the question:

Mr. Jack Densham. Dear Sir.—To referee a boxing contest is something like umpiring a football game—an unpleasant job at the best, as you know. But, where you act with strict impartiality and with a motive only to give an absolutely correct decision, wouldn't it jar you to have to go into print to defend yourself against adverse criticism in the sporting columns of a reputable journal, such as appeared in this morning's Advertiser headed "Reilly given decision on much disputed foul"? This is my case:

With reference to the blow that knocked out Reilly, you say: "He did not see the blow land." I deny this. I did see the blow land; it was in plain sight from where I was standing. Let us, then, cast aside the point of view question and come down to facts.

I was in the ring facing the principals at a distance of about three feet. You must have been at least twenty feet in the rear of where I was standing at the time. I was, therefore, in a much better position to judge than you were. Again, you stated that I hesitated. Nothing of the kind.

As soon as the foul blow was struck I pushed Smith to one side and did not hesitate for one moment to give my decision. Had I not seen the blow struck and thus have been in doubt, I should certainly have called a physician. In this case it was unnecessary.

I can not help thinking that you must have been prejudiced by outside sources and taken facts second-handed from somebody who was disappointed. That a foul blow was struck was the opinion of twenty or more persons, reputable merchants, lawyers and doctors, who will certify to the same if called upon to do so, and, from what I hear, four-fifths of the house was with me.

This is the first time that my decisions have been questioned, and, believe me, it will be the last. I will never referee a boxing contest in the Islands again.

Respectfully yours,
PADDY RYAN.

DEATH OF
LUCKY BALDWIN

(Continued From Page One.)

toga that he finally decided to have a strong stable. He bought an auction pool on a horse named Grinstead and when Grinstead won Baldwin bought him, and did the same with another speedster named Rutherford.

Baldwin won the American Derby four times with Emperor of Norfolk, Silver Cloud, Volante and Rey de Santa Anita. In Saratoga one year he annexed fifteen stakes out of twenty-five in which he raced, and after that the East had a new idea of the worth of the western owner.

He was at times a sensational bettor and a big one, his biggest harvest being \$63,000 at long odds on a mare named Molly. Baldwin was famous also for having in his employ Isaac Murphy, considered one of the best jockeys in the country.

He bought the Santa Anita ranch near Los Angeles for \$200,000 and two years ago took up the project of opening a race track there, a proposition that has been successfully accomplished. Outside of his racing interests, he was engaged in various business enterprises. He was owner of the Baldwin Theater and the Baldwin Hotel and was also largely interested in mining properties in Nevada, at the same time with the late Senator Stanford, out of which he made a vast fortune.

THE FRUIT SEASON.

This season always brings on more or less diarrhoea which is promptly checked by Chamberlain's Colic, Cholera and Diarrhoea Remedy. Get a bottle and be prepared for sudden attacks. For sale by all dealers. Benson, Smith & Co., Ltd., agents for Hawaii.